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BEFORE THE ARIZONA CORPORATION COMMISSION

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COMMISSIONERS

KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2010 FEB -1 A 9:00

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF:

THEODORE J. HOGAN & ASSOCIATES, LLC
a.k.a. TED HOGAN AND ASSOCIATES, an
Arizona limited liability company,

THEODORE J. HOGAN a.k.a. TED KILLS IN THE
FOG, a married man,

and

CHRISTINA L. DAMITIO, a.k.a. CHRISTINA
HOGAN, a married woman,

RESPONDENTS.

DOCKET NO. S-20714A-09-0553

Arizona Corporation Commission

DOCKETED

FEB - 1 2010

DOCKETED BY

[Handwritten signature]

PROCEDURAL ORDER
(Schedules Hearing)

BY THE COMMISSION:

On December 8, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Theodore J. Hogan & Associates, LLC a.k.a. Ted Hogan and Associates, and a.k.a. Ted Kills in the Fog ("Hogan") and Christina L. Damitio a.k.a. Christina Hogan (collectively "Respondents") in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of investment contracts.

The Respondents were duly served with copies of the Notice.

On December 22, 2009, requests for hearing were filed by Respondents. Included within Respondents' requests appear to be an Answer and request for pre-hearing discovery.

On January 7, 2010, the Division filed a response to the requests of the Respondents request for discovery urging their denial.

On January 8, 2010, a pre-hearing conference was scheduled on January 28, 2010, and the request for discovery taken under advisement.

1 On January 28, 2010, the Division appeared with counsel and Respondents appeared on their
2 own behalf. The parties discussed the scheduling of a hearing and discussed a possible settlement
3 prior to the hearing taking place.

4 Accordingly, a hearing should be scheduled.

5 IT IS THEREFORE ORDERED that a **hearing** shall be held on **June 15, 2010, at 10:00**
6 **a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix,
7 Arizona.

8 IT IS FURTHER ORDERED that the parties shall also reserve **June 16 and 17, 2010** for
9 additional days of hearing, if necessary, as previously ordered.

10 IT IS FURTHER ORDERED that the **Division shall provide copies of their Exhibits and**
11 **Witness List to Respondents**, with courtesy copies provided to the presiding Administrative Law
12 Judge, by **April 23, 2010**.

13 IT IS FURTHER ORDERED that the **Respondents shall provide copies of their Exhibits**
14 **and Witness List to the Division**, with courtesy copies provided to the presiding Administrative
15 Law Judge by **May 21, 2010**.

16 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
17 Communications) applies to this proceeding as the matter is now set for public hearing.

18 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
19 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
20 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
21 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
22 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
23 Administrative Law Judge or the Commission.

24 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
25 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission
26 *pro hac vice*.

27 ...

28 ...

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 1ST day of February, 2010.


4
5
6 
7 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 1ST day of February, 2010 to:

10 Theodore J. Hogan
11 Christina L. Damitio
460 Andante
Sedona, AZ 86336

12 Matt Neubert, Director
13 Securities Division
ARIZONA CORPORATION COMMISSION
14 1300 West Washington Street
Phoenix, AZ 85007

15 ARIZONA REPORTING SERVICE, INC.
2200 North Central Avenue, Suite 502
16 Phoenix, AZ 85004

17
18 By: 
19 Debra Broyles
Secretary to Marc E. Stern